

REMARKS:

In the Office Action mailed on May 30, 2006, the Examiner rejected claims 1, 3-12 and 14-27. An Amendment was filed on August 30, 2006. In response, the Examiner issued an Advisory Action on September 15, 2006.

For convenience of the Examiner, the amendments and arguments presented in the Amendment of August 30, 2006 are reproduced herein. Further, claim 28 is added herein. Claims 2 and 13 remain cancelled. No new matter is presented.

Thus, claims 1, 3-12 and 14-28 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 1, 3-12 and 14-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the following: U.S. Patent No. 6,047,260 (Levinson), U.S. Patent No. 5,519,606 (Frid) and Windows 95™ Manual (Marks).

The Levinson planning and calendaring system processes any plan corrections and correspondingly adjusts based on a user's response (see, col. 8, lines 28-39). For example, a user needing an extra time indicates to the system that the additional time is needed in response to a cue or a warning indicating an end of a time allotted for a task (see, col. 18, lines 45-67). That is, the Levinson planning system requires a user to respond to a visual/audible cue and adjusts the calendar schedule in response to the user's response (see, col. 8, lines 28-39).

The Examiner relies on Frid as teaching maintaining overlapped term type schedules. However, similar to Levinson, Frid requires a user to reconcile events resulting in an overlap and also have a conflicting start time (see, also col. 5, lines 52-64). That is, as acknowledged by the Examiner on page 4 of the outstanding Office Action, Frid is directed to providing an option to a user to reconcile conflicting events.

The Examiner acknowledges that Levinson does not disclose storing a history of deleted schedules upon deleting or adjusting schedules and referring to the same for recovery, but relies on Marks as teaching the same. Marks is directed to limited to a folder in Windows™ that maintains files until the user confirms intent to remove the files by opening the folder, selecting and deleting the files (see, page 1, paragraph 4).

It is submitted that the independent claims are patentable over the cited references.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over the cited references. The dependent claims are also independently patentable. For example, as recited in claim 8, "as a condition in the case where the priority is the same, said schedule adjusting unit sets a user's selection, a selection of the existing schedule, or a selection of the new schedule" (see also, claim 19). The cited references, alone or in combination, do not teach or suggest these features of claims 8 and 19 including features recited in respective independent claims upon which claims 8 and 19 depend.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 28 has been added to emphasize that the invention includes, "classifying schedules based on types thereof and determining a type of overlapped schedules based on said classifying." Claim 28 further recites, "**selectively adjusting** overlapping schedules based on said determining by applying a **first condition** to overlapped schedules with identical designated period of completion to change said designated period of at least one of the overlapped schedules and a **second condition** to maintain overlapped schedules with identical designated date/time unchanged" (emphasis added).

The cited references, alone or in combination, do not teach or suggest the above-discussed features of claim 28 including "selectively adjusting overlapping schedules... by applying a first condition to overlapped schedules with identical designated period of completion to change said designated period of at least one of the overlapped schedules and a second condition to maintain overlapped schedules with identical designated date/time unchanged", as recited in claim 28.

It is submitted that new claim 28 is patentably distinguishable over the cited references.

CONCLUSION:

Accordingly, claims 1, 12 and 23-27 are amended, new claim 28 is added and claims 2 and 13 remain cancelled. Claims 1, 3-12 and 14-28 are pending and under consideration

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.


Serial No. 09/764,301

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 09/22/2006

By: 
Temnit Afework
Registration No. 58,202

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501